



TESTIMONY OF THE
**AMALGAMATED
TRANSIT UNION**

BEFORE THE UNITED STATES HOUSE OF REPRESENTATIVES
COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE
SUBCOMMITTEE ON HIGHWAYS AND TRANSIT ON
IMPROVING AND REFORMING THE NATION'S SURFACE
TRANSPORTATION PROGRAMS

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Amalgamated Transit Union
AFL-CIO/CLC

www.atu.org

Introduction

Mr. Chairman and Members of the Committee, thank you for the opportunity to testify today on behalf of the Amalgamated Transit Union. ATU is the largest labor organization representing public transportation, paratransit, over-the-road, and school bus workers in the United States and Canada, with about 190,000 members in more than 270 locals throughout 46 states and nine provinces.

We are pleased to offer our views on improving and reforming the nation's surface transportation programs. My name is Larry Hanley. I am the new International President of the ATU, elected in the fall. I have been involved in the public transportation industry for more than 30 years. Never during that entire time span have I ever witnessed anything close to the challenges that we are facing today.

In 2009, ATU presented to Congress a comprehensive proposal for the reauthorization of *The Safe, Accountable, Flexible, and Efficient Transportation Equity Act - A Legacy for Users* (SAFETEA-LU). It is a ten-point plan designed to ensure that public transportation agencies are equipped to provide Americans with the travel choices they need and to help us reduce our dependence on foreign oil.

Much has changed in our industry since that proposal was released. Therefore, today, I would like to focus on just three issues that are key to the survival of the transit industry and the safety of the riding public.

Transit Crisis

No Ride = No Job

Due to shortages in state and local revenues, U.S. public transit systems are carrying out some of the steepest fare increases and deepest service cuts in recent history. Since the beginning of 2009, approximately 85% of public transit systems have raised fares or cut service, and thousands of workers in the transit industry – a significant percentage of a “green” workforce – have been laid off. Fifty-six percent of transit systems have cut rush hour service, 62% have slashed off-peak service, and 40% report reductions in geographic coverage.

The Chicago Transit Authority has cut 18% of bus service and 9% of rail service while laying off 1,100 people whose lives have been in a free fall ever since. Massive cuts in Atlanta, Cincinnati, Cleveland, Detroit, and throughout the State of California have been breathtaking. New York City, home to the largest transit network in North America, **has cut routes that have been in existence since the days of the horse and buggy.** Thirty-five percent cuts are pending in Pittsburgh and Tacoma, while Birmingham and Long Island are on the verge of cutting bus service in half.

The incredible mass of unemployed Americans includes a substantial number of transit-dependent individuals who can simply no longer get to work because their ride is gone. Generally, when routes get cut, transit systems tend to look toward those with low ridership -- early morning, late night, and weekend service. People who work non-traditional hours, typically minorities who have no other means of transportation, are disproportionately affected.

The single mom who now gets her kids up at 4:30 a.m. to catch two buses in time to get her children to daycare and then herself to work cannot be expected to wait an additional hour for that transfer bus to arrive, standing in the freezing cold with two kids. **The person who cleans offices downtown in the wee hours of the morning should not have to sleep on the cold hard floor in the lobby of the building after finishing her work until the buses start running the next day.** But that is exactly what is happening out there. ATU members nationwide have seen it firsthand.

Some places have totally shut down their transit system, leaving elderly and disabled people scrambling for a way to buy food and get to the doctor. For example, the transit system in Clayton County, Georgia shut down in 2010, stranding 8,500 people, 81% of whom earn less than \$35,000 a year and 65% of whom have no car. **This is a mobility crisis like we have never seen before.**

As Congress debates changes to our nation's surface transportation laws and considers appropriate funding levels to meet the needs of our highway and transit network, it is critical that law makers understand the incredible mobility challenges that their constituents are facing every day. However, the voices of poor people -- young or old, disabled or able bodied -- are traditionally drowned out in this country. While an elderly lady who is out buying groceries in New Jersey may have never met a middle-aged cafeteria worker in Colorado who is desperately trying to get to work, it turns out that these people have at least one common trait: they both rely on the bus to survive. **Throughout America,**

people are pleading with their elected officials to stop the transit cuts and fare increases. Attached to our testimony is a document entitled "Stranded Voices," a compilation of poignant quotes from transit-dependent individuals all across the country who have lost their ability to get around town due to transit cuts.

People First

Under current law, the majority of transit systems in the U.S. may not use their federal transit funds to keep service on the street. Only transit systems located in urbanized areas less than 200,000 in population may use their federal transit funds for operating assistance. All other areas may use their funds only for capital projects. With state and local funds scarce or nonexistent, many systems are in the odd situation of having **many brand-new buses purchased with federal funds, but no resources to place those vehicles into service.**

For example, in 2010, the Capital District Transportation Authority in Albany, NY purchased several buses through the *American Recovery and Reinvestment Act* which have been sitting in the garage since delivery. ATU members drive them up and down the highways daily to keep the fluids running for warranty reasons. Other communities are using their federal transit funds to build rail systems that will not be completed for many years while slashing vital bus service at the same time.

Where are our priorities? Certainly this cannot be part of our nation's transportation agenda! Before we commit resources to whisk people from city to city on slick high speed rail trains, we need to first get them back to work downtown and in suburban and rural locations via bus, subway, or light rail.

Operating Assistance is Needed

The federal government has a role to play in ensuring that all individuals – regardless of income level – have access to safe, affordable, convenient and accessible public transportation, no matter what time of day they ride the bus. During the 111th Congress, Representative Russ Carnahan introduced **bipartisan** legislation (H.R. 2746; **144 cosponsors**) that would provide for increased flexibility in the use of federal transit funds by allowing transit systems of all sizes to use a percentage of their formula funds to maintain critical service. That bill also included a sensible provision which would allow transit systems in areas above 200,000 in population to use their federal transit formula funds for operations if they are operating less than 100 buses during peak service

hours.

Similarly, President Obama's Fiscal Year 2012 Budget as well as the Administration's proposal for the reauthorization of the federal surface transportation bill call for "targeted and temporary" transit operating assistance. All of these ideas, as well as a new innovative approach that will likely be introduced by Representative Carnahan in the next few weeks, are worthy of careful consideration by this committee.

Bipartisan Issue

It is important to note that this is not an issue that pits rural areas against the urban centers. Attached to our testimony is a list of disappearing small urbanized areas that are forecast to become parts of adjoining or new large urbanized areas as a result of the 2010 Census. If the current rules are not changed, **transit systems in these areas will soon lose their ability to use Federal Transit Administration (FTA) funds for operating assistance** because their population will be considered to be greater than 200,000. Like the areas mentioned above, **service cuts and fare increases will soon follow.**

ATU supports:

- ✓ Passing a robust surface transportation bill that meets the needs of transit-dependent individuals;
- ✓ Funding public transportation at \$119 billion over the next six years (a 128% increase above current levels), as called for in President Obama's surface transportation reauthorization proposal;
- ✓ Providing all transit systems – regardless of urban area population – with flexibility to use their federal funds for operating costs to maintain critical service that keeps people connected to their communities.

Intercity Bus Safety

Just last week, a New York-based charter bus packed with tourists returning from sightseeing in Canada overturned on an icy stretch of a New Hampshire highway, injuring 23 people – the latest in a string of serious intercity bus accidents. It was the **third major over-the-road bus accident this month**, including the horrific March 12 crash in The Bronx that killed 15. First responders to that accident, which left bodies severed and sprawled all over Interstate 95 – who have undoubtedly worked at many disturbing scenes in the past – were reportedly so overwhelmed with the gruesome nature of the crash that they required counseling.

The first reaction by regulatory authorities in response to these disturbing events has been to focus on casino runs and other so-called curbside bus operators. Law enforcement over the past several days has been pulling over buses in an effort to check for rule compliance, examine log books, and determine if required rest periods are taking place. During the weekend of March 19-20, New York State conducted surprise safety inspections of 164 buses. At least 41 were ordered off the road.

While it is appropriate for law enforcement to crack down immediately to protect the safety of over-the-road passengers, these steps do not even begin to address the main issue which is at the root of these and many other over-the-road bus crashes which annually kill about 50 people in the U.S. and injure approximately 1,000 other innocent passengers who are simply hoping to get to their destination in the least expensive way possible. **The current safety issues plaguing intercity buses are directly linked to the deregulation of the over-the-road bus industry nearly 30 years ago.**

Background

Prior to 1982, the industry was strictly regulated by the Interstate Commerce Commission (ICC), which became the Surface Transportation Board in 1995. Bus operators were required to petition ICC for operating rights before beginning service on each interstate route. Regulators precisely defined each bus route, specifying exactly which highways could be used. They also dictated the size of the bus and the places where passengers could be picked up or discharged. Operators also had to get ICC approval for all changes in rates.

Intercity bus travel was at its peak during the 1940s. After World War II, the share of intercity travel done by bus steadily declined. As competition from air travel and improvements in automobiles increased, the industry's share of passengers decreased. In the 1970's, bus lines came under pressure from low fares offered by Amtrak. The steady decline of the industry lead Congress to pass the *Bus Regulatory Reform Act of 1982*, which simplified regulatory standards and expedited procedures.

Unintended Consequences

A 1992 report by the General Accounting Office suggested that bus deregulation did not address the causes of the industry's decline, and a major result was the elimination of service to areas where there are fewer transportation options, particularly rural areas and small towns. Many areas that are no longer served are not accessible by air or rail, leaving residents without automobiles completely isolated. According to the Department of Transportation's Bureau of Transportation Statistics, as many as 3.5 million rural residents lost access to scheduled intercity transportation between 2005 and 2010.

Besides isolationism, the most pressing matter brought on by the 1982 legislation is **safety**. While the act was certainly successful in stimulating competition, it is doubtful that Congress intended to cause a race to the bottom. As a result of this legislation, market entry conditions into the industry were eased significantly, and applications for authority to operate have rarely been challenged. Entry was liberalized to the point where any prospective carrier that was "fit, willing, and able" was granted authority. **Minimum insurance coverage and knowledge of safety regulations are now basically the only requirements to prove a carrier's fitness to operate.**

Operators are now free to set their own rates, which has allowed customers to lock in jaw-dropping fares between certain cities – a relative "Walmart on Wheels." Of course, if a person is dissatisfied with a cheap box of bargain-brand cereal purchased at a big box store, all they have to do is throw it away. There is little risk. **However, if you take your chance on a discount bus operator, there is a good possibility that you will be putting your life in the hands of a severely fatigued driver who may not speak English or even understand road signs. And you may very well be riding in a bus that has been cited for numerous safety violations.**

Low Wages, Extreme Fatigue

Every time that I hear about an over-the-road bus that collides with other vehicles, bridges, or one that winds up in a ditch, I know that **there is a high likelihood that the driver of that bus fell asleep at the wheel**. Low-budget, non-union intercity bus companies – typically tiny operations that have only a few buses – typically pay their drivers incredibly low wages. As a result, bus drivers are being forced to work **100 hours a week** or more just to make a living. If they are not driving a bus for that many hours, there is an excellent chance that the driver **works two or three other jobs** in order to make ends meet.

I would highly recommend that the committee takes a look at some very compelling Fox news footage (see http://www.youtube.com/watch?v=dW_g3COCQwg) which reports on people who drive a bus full of passengers from New Jersey into Manhattan each morning. In several cases, once the driver reaches the city, he works a full day in the financial district. After dark, he puts his uniform back on, drives passengers home, and parks the bus at his house. **Unsuspecting customers simply do not know that they are riding with drivers who are falling asleep because they never rest.**

Time to Take Another Look

ATU represents approximately 3,000 workers at Greyhound Lines, Inc., the dominant carrier in the over-the-road bus industry. At a minimum, as part of this subcommittee's effort to "Improve and Reform" the nation's surface transportation programs, we strongly urge you to conduct hearings and examine the current state of affairs in this industry, which is being infiltrated by fly-by-night, **irresponsible bus companies that are focused only on profits without regard for safety**. Given the extent of the problems in this area, everything should be on the table for consideration. Unfortunately, it usually takes several high profile incidents to spur Congressional action, no matter what the issue. Please consider a reasonable amount of government oversight to protect the safety of the riding public.

ATU supports:

- ✓ Providing for the safety of intercity bus passengers through the reopening of the *Bus Regulatory Reform Act of 1982*.

Transit Workforce Development

The public transportation industry, like many service-based sectors in the United States, will be faced with major challenges in the near future. A large percentage of the transit workforce – both blue and white collar – will be retiring within the next few years. There is no pipeline of replacements on the horizon because the industry has a negative public image that hampers its ability to attract, recruit, and retain quality employees. And, for the existing workforce, new technology is rapidly changing the way transit agencies function, affecting every executive director, mid-level manager, bus driver and mechanic alike. Yet, relatively few programs exist to provide training to workers so that they can perform their jobs adequately, move up the career ladder, and help the nation's transit agencies operate at maximum efficiency.

Public Transportation Industry Challenges

The transit agency workforce has several unique characteristics which impact workforce development:

- A rapidly aging workforce – the majority of present day transit systems went public in the 1960s and 1970s as a result of the establishment of the federal transit program. Many workers who began their careers more than 30 years ago are retiring.
- It is in constant contact with the public, and about 75% of employees – operators and maintenance staff – are responsible for high standards of efficiency and public safety.
- Approximately 90% of the workforce is unionized.
- Opportunities for advancement are generally limited.
- The industry has suffered from a poor or uncomplimentary image in the past, which hampers recruiting efforts.
- Transit agencies provide a schedule-driven customer service. As a result, the majority of the transit workforce – transit equipment operators – functions in a rule-bound, seniority-based environment with little flexibility. This type of workplace has its drawbacks for recruiting

younger employees.

- At the highest levels, the transit industry has issues with diversity.
- The industry has institutional barriers to workforce competitiveness and innovation, i.e., noncompetitive compensation practices, inadequate career development and succession planning, lack of workplace flexibility, and failure to systematically integrate human resources considerations into overall business planning.

According to an industry survey, driver recruitment and retention continues to be the greatest challenge for 63% of transit systems. Finding experienced labor trails only funding costs and concerns as transit agencies' top concern.¹

The Impact of New Technology and Need for Training

New technology is having a dramatic impact on every aspect of the industry, from electronic fare collection, to alternative fuel vehicles, to new communications devices that will forever alter the way people travel. Much of the new technology has been spurred by record funding from the federal government. Since the enactment of TEA 21 in 1998, transit systems have been fortunate to participate in many ribbon cutting ceremonies celebrating the opening of new bus depots and rail lines. Without question, the industry has an excellent record investing in rolling stock.

Unfortunately, the same cannot be said of our ability to invest in so-called "human capital" – the people who serve as the backbone of any successful transit system. Bus and train operators serve as the public face of the organization on the street. In this post-9/11 world, they also protect passengers and other community members with their eyes and ears. Maintenance workers and others working behind the scenes – both blue and white collar employees – ensure that the system continues to operate in a cost effective, time efficient manner. Yet, funding for training and career ladder programs within the transit industry is virtually nonexistent.

With the imminent retirement of a huge percentage of the workforce, the need for training is even greater in order to avoid the loss of institutional knowledge.

¹Metro Magazine 2008 Fact Book, November 2007.

Current Law Ignored

Under 49 USC § 5322(a), the Secretary is authorized to make grants for programs that address human resource needs as they apply to public transportation activities. A program may include an employment training program; an outreach program to increase minority and female employment in public transportation activities; research on public transportation personnel and training needs; and training and assistance for minority business opportunities. This long-standing provision of federal law has been ignored by the industry and the FTA.

Moreover, under Section 5322 (b), FTA is authorized to make grants to states, local governmental authorities, and operators of public transportation systems to provide fellowships to train personnel employed in managerial, technical, and professional positions in the public transportation field. Remarkably, this program has been funded at **\$0 throughout the life of SAFETEA-LU, and no program of significance came about as a result of this section under TEA 21.**

The Transportation Job Corps Act

The ATU supports the *Transportation Job Corps Act of 2011* (H.R. 929, Nadler) groundbreaking legislation that would finally address the training needs of the public transportation industry and serve to provide disconnected youth outside the industry with an incentive to pursue careers in transit.

The bill – which is also **endorsed by the American Public Transportation Association** – would rewrite Section 5322 and authorize the creation of ten new regional Joint Workforce Development Councils – one for each FTA region. The councils, made up of equal numbers of labor and management representatives, would be responsible for setting up a process to offer workforce development programs to transit agencies in each of the FTA zones.

The primary purpose of this program would be to identify skills gaps in transit agency maintenance departments and to develop programs to train maintenance employees on a regional basis, rather than one agency at a time. The councils would also develop programs – outside of the traditional collective bargaining environment – to address the recruitment and retention of white and blue collar workers as well as programs to deal with *Family Medical Leave Act* (FMLA) issues, including absenteeism, ergonomics, “well care” programs, child care and other employment-linked services, and other matters.

Furthermore, the bill would create new programs aimed at enhancing the transit workforce by initiating and maintaining transit worker retention programs, including grants for career ladder programs, workforce diversity grants, and "Transit Youth Opportunity Grants."

ATU Supports:

- ✓ The *Transportation Job Corps Act of 2011*, which would create a career ladder grant program within the FTA to help existing workers retain jobs while also recruiting and preparing young adults across the nation for jobs in the transit sector.

Conclusion

ATU's recommendations for improving and reforming the nation's surface transportation programs may be summed up in just one word: **people**.

Congress should recognize that we cannot get our economy back on track if millions of people do not have a ride to work. Federal assistance is needed to help our nation's transit systems provide for the mobility needs of the 15 million daily U.S. transit riders. **We can no longer leave anyone behind.**

Similarly, protecting the lives of our citizens when they hit the open road by bus to visit family, friends, and other destinations is a central function of our federal government.

Finally, while providing funding for major transit capital investments is critical, we must also deal with the major "human capital" issues which threaten to paralyze public transportation systems throughout the United States.

ATU looks forward to working with this committee on these critical issues during the surface transportation bill reauthorization process.

Thank you for your consideration of our views.

ATTACHMENTS

DISAPPEARING SMALL-URBANIZED AREAS FORECAST TO BECOME PARTS OF ADJOINING OR NEW LARGE-URBANIZED AREAS

(Will lose ability to use FTA funds for operating assistance because population going above 200,000)

AZ	Avondale	NC	Concord
CA	Camarillo		Gastonia
	Fairfield		High Point
	Hemet	NH	Dover-Rochester
	Livermore		Manchester
	Lodi		Nashua
	Manteca		Portsmouth
	Petaluma	NJ	Highstown
	Salinas		Vineland
	Santa Barbara		Wildwood-North
	Santa Clarita		Wildwood-Cape May
	Santa Cruz	OH	Lorian-Elyria
	Simi Valley		Middletown
	Turlock		Springfield
	Vacaville	OK	Norman
	Vallejo	PA	Lebanon
	Watsonville		Monessen
CO	Boulder		Pottstown
	Lafayette		Union-Connellsville
	Louisville		York
CT	Danbury	PR	Arecibo
	Norwich-New London		Fajardo
	Waterbury		Barceloneta-Bajadero
FL	Brookville		Guayama
	Fort Walton Beach		Juana-Diaz
	Kissimmee		Mayaguez
	Lady Lake		Ponce
	Lakeland		San German
	Leesburg-Eustis		Sabana Grande
	North Punta Gorda		Yauco
	Ocala	SC	Mauldin-Simpsonville
	Titusville		Rock Hill
	Vero Beach		Spartanburg
	Sebastian	TN	Johnson City
	Winter Haven		Kingsport
GA	Gainesville		Murfreesboro
	Macon	TX	Beaumont
	Warner Robins		Galveston
HI	Kailua		Harlingen
ID	Coeur d' Alene		McKinney

	Nampa		Port Arthur
	Alton		Texas City
IN	Anderson		The Woodlands
	Elkhart	WA	Bremerton
MA	Leominster-Fitchburg		Marysville
	New Bedford	WI	Appleton
MD	Aberdeen		Beloit
	St Charles		Kenosha
MI	Port Huron		Oshkosh
	South Lyon-Howell-Brighton		Racine
MO	Lee's Summit	WV	Charleston
			Huntington

The New York Times

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Late Edition - Final

No Red Carpet For Bus Drivers On Casino Runs

BYLINE: By MICHAEL M. GRYNBAUM and NOAH ROSENBERG; Michael M. Grynbaum reported from New York, and Noah Rosenberg from Connecticut. C. J. Hughes contributed reporting from New York.

Far from the plush gambling rooms of the Mohegan Sun casino is a lounge that few gamblers will ever see.

The space is small, drab and windowless, sparsely furnished with snack machines and worn khaki chairs, a far cry from cocktail waitresses and gleaming slot machines.

Yet for the dozens of chartered bus drivers who trek daily to the casino in Uncasville, Conn., the lounge offers rare relief on a tedious, exhausting journey that can last 12 hours or more. And those assigned the Mohegan Sun route count themselves lucky -- they say that most casinos offer drivers no place to rest at all.

The low-cost tour-bus industry, where drivers often work long hours for little pay, has come under renewed scrutiny since a crash in the Bronx on Saturday killed 15 passengers on a return trip from Mohegan Sun.

The trip was typical of many in the industry, a motley collection of small outlets that operate largely out of sight of government regulators. Drivers, tour operators and watchdog groups say that many employees receive no benefits, work long hours and are poorly compensated. Federal rules that restrict drivers' hours are only sporadically enforced, and some drivers say they have felt pressure to take long-haul trips that often stretch beyond the legal limit.

The cause of the weekend crash still had not been determined as of Wednesday, but much of the focus has turned to the driver, Ophadell Williams. State and federal officials are examining his actions in the minutes and hours before the accident; Gov. Andrew M. Cuomo has ordered an inquiry into how Mr. Williams, who had driving violations and a criminal record, was allowed to become a commercial bus driver.

When other drivers heard about the crash on Saturday, many said they immediately wondered if fatigue had played a role.

"The first thing that pops into my mind was, 'How many hours was he working?'" said Brian Bailey, 53, a driver for Brush Hill Tours in Boston. "A lot of these drivers, we're driving down the road, we wave to the other guy. We're all in the same business. It affects us all the same way; it makes us more aware."

At Foxwoods, another Connecticut casino, and at some Atlantic City casinos, drivers are confined to charter bus parking lots, typically several miles from the casino, and they frequently take naps on buses. The casinos usually provide drivers with a \$15 food voucher and a shuttle bus to the local food court; hotel rooms are not offered.

Mr. Bailey was sitting in his bus just inside the entrance to Foxwoods about 9 p.m. on Monday. He said his company encouraged drivers to eat, sleep and "rest, relax so you're not stressed out." Some drivers, he conceded, take the

opportunity to gamble. "We have drivers who will spend their whole time in there pulling handles," he said.

In his downtime, Mr. Bailey said, he often watches videotaped episodes of "General Hospital" and grabs food. "There's nothing worse than being tired while you're driving," he said. "People don't realize, you start dozing off, it's not a good thing. Especially when you've got everybody's life in your hands."

Federal guidelines limit passenger-bus drivers to 10 hours behind the wheel, within a 15-hour work day, and bus carriers face a fine if violations are discovered. But the hours, recorded in a handwritten logbook, are easily falsified, and even outstanding violations are often ignored: World Wide Travel, the operator whose bus crashed in the Bronx, had been cited several times by regulators for problems with its logs.

At Foxwoods on Monday, a driver for World Wide Travel was preparing for a nap in his bus's front passenger row. The driver had arranged a blanket and several small pillows atop a knapsack; later, he opened an overhead compartment to reveal a stash of blankets. "You see my bed?" he said with a smile.

The man, who spoke on the condition of anonymity because his company had instructed drivers not to talk to the news media, said he planned to sleep for 90 minutes. He still had five hours until he had to start his return trip to Flushing, Queens. He had already used a casino-issued meal coupon to buy a chicken-and-rice dinner.

"It's an easy job; it's not too bad," the driver said. "Other charters, you're going to Washington, D.C., or Boston. This one is easy, only two and a half hours." He said he earned \$150 a day, payable by check, and worked about five shifts a week. The company provides gas money.

Tour-bus drivers say they come to the job through a variety of channels. Many drove school buses or worked for public transit agencies, where they often earned higher salaries. Mr. Bailey said he led tours for college students, ski trips, Cape Cod tours -- even, once, the Boston Red Sox. Some are retired, with a government pension, and looking for extra pay.

Federal law is nearly silent on qualifications for the job: for the most part, anyone with a state-issued commercial driver's license is eligible. Carriers are expected to obtain medical certificates from their drivers and occasionally test for drug and alcohol use; a spokesman for the Federal Motor Carrier Safety Administration, the industry's regulator, said that the responsibility for administering those tests fell to the business, not the state, and that violators could face fines.

Some skeptics wonder if discount bus companies, which are rarely unionized and have only a few employees, end up with castoffs from more reputable places.

"These small companies that want to make a quick buck, they take anyone they can get," said Larry Hanley, president of Amalgamated Transit Union International, which represents thousands of drivers.

Tour buses, Mr. Hanley said, are "the industry of last resort."

Some in the industry complain that the rise of discount buses in the last decade has forced more established carriers, like Greyhound, to lower wages. Tight margins mean that drivers end up with salaries often as low as around \$15 an hour.

At the Mohegan Sun lounge on Tuesday, Simon Lee, 63, a driver on a route from Flushing, was watching a Chinese-language film on his laptop. He said he was grateful that the casino provided the space.

On his bus, Mr. Lee said, "in the wintertime, it's too cold, and in the summertime, it's too hot."

"It gets over 100 inside the bus in the summer," he continued. "You cannot stay up there."

Mr. Lee said, with a laugh, that he would not mind if the lounge installed a StairMaster for exercise. But he turned serious when asked about the weekend crash. His aunt and uncle, May Lin Wong and Ock Thling Wong, were among the passengers killed.

"I basically grew up with them in Hong Kong," Mr. Lee said. "I keep telling myself every day now, be more alert, be more careful, because of my aunt and uncle, what happened to them."

Daily News (New York)

March 20, 2011 Sunday
SPORTS FINAL EDITION

CASINO BUS COMPANIES ROLLING DICE ON SDAFETY. FEDS FIND 50 WITH TEXTING TIRED DRIVERS

BYLINE: BY BENJAMIN LESSER and TINA MOORE DAILY NEWS STAFF WRITERS

SOME 50 New York-based bus companies have been put on "alert status" in the last two years for safety violations ranging from fatigued drivers to texting or drinking on the job, records show.

Many of the in-state companies were cited multiple times for fatigue in the past two years, data from the Federal Motor Carrier Safety Administration show.

Others were cited for using drivers who couldn't speak English or understand road signs. One company was slapped for texting and another for alcohol use, records show.

The safety agency issued \$235,405 in fines against New York passenger carriers in 2009 and 2010. The agency, part of the U.S. Department of Transportation, puts companies on "alert status" when they are above a certain threshold for a specific violation.

In the case of fatigue, companies need to be above the 50th percentile - meaning they are worse than about half the other companies being monitored.

Investigators were looking at fatigue as a possible cause for the Bronx crash that killed 15 people last Saturday on a return trip from the Mohegan Sun to Chinatown.

Industry experts charge that a lack of enforcement has been a growing problem with the proliferation of cheap bus trips.

"Bus drivers are being forced to work 100 hours a week or more just to make a living," said Larry Hanley, president of the Amalgamated Transit Union. "Unsuspecting customers simply don't know that they are riding with drivers who are falling asleep."

The bus company in last Saturday's crash, World Wide Travel, was ranked slightly above the threshold for fatigued driving at 52.4%.

Another tour bus on its way from Philadelphia to Chinatown crashed on the New Jersey Turnpike on Monday killing the driver and a passenger. That operator, Super Luxury Tours, ranked in the 99.6th percentile - almost the worst - for unsafe driving, and in the 85.9 percentile for driver fitness.

Other companies that operate in the city have been put on alert for dangerous violations:

. Well-known Chinatown operator Fung Wah Bus Transportation was graded in the 72nd percentile for fatigue, meaning it was worse than nearly three-quarters of other companies.

Fung Wah, which is based in Boston, had nine fatigued-driving violations that involved log books that weren't current. In two cases, drivers made false reports in driving logs, records show. A message left at the company yesterday wasn't returned.

. Eastern Coach Inc., of Manhattan, was in the 99.1 percentile - almost last - for eight driver fitness violations between July 2010 and January 2011. The company charges \$10 for a trip from New York to Philadelphia.

Most of its violations were labeled "non-English speaking driver" and "driver must be able to understand highway traffic signs." Four of the violations were serious enough to take the driver out of service.

The company was cited for speeding four times in the same period and once for failing to obey a traffic signal, records show. "It was the same driver," owner David Wang said, adding that the driver spoke Chinese. "The driver no longer works for us."

He also said the buses were "locked at 70" now.

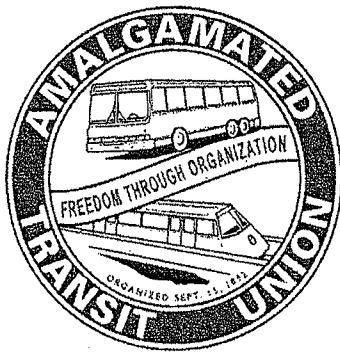
. United Coach Line Inc., of Staten Island, was graded in the 97th percentile with three violations in January for "possession/use/under influence of alcohol," records show.

"The drivers had been caught drinking on the job," manager Gary Paris said. "They were fired immediately."

The company has a handful of buses that can be chartered for gambling junkets to New Jersey or to Broadway shows in the city, its website shows.

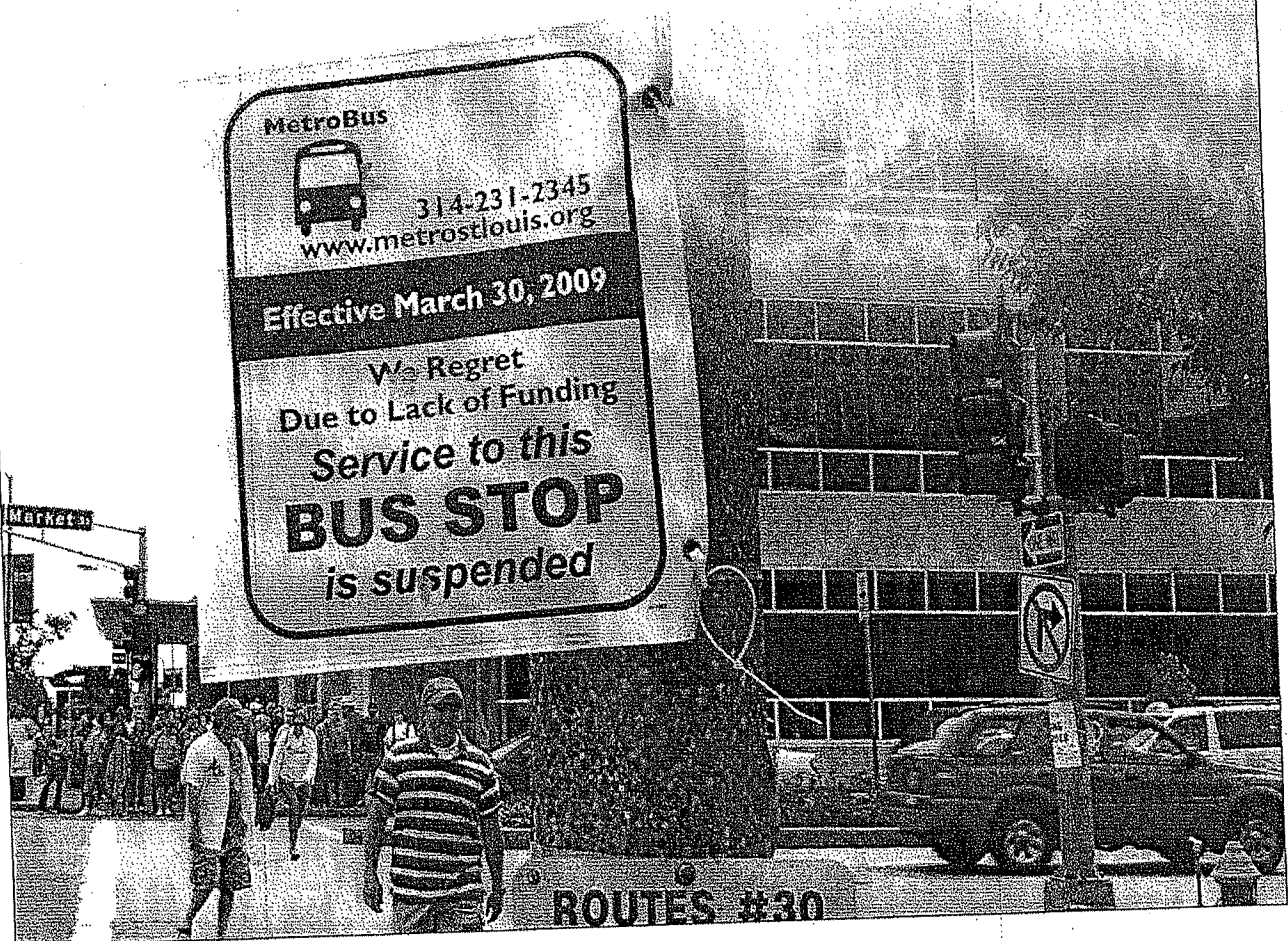
. New Oriental Tour Inc., which advertises a one-way trip from New York to D.C. for \$20, was in the 83rd percentile for vehicle maintenance and 75th for unsafe driving. It received two citations for worn-out or leaky tires and one for brakes. A number the company lists with the safety agency was not in service.

. Ocean Travel Inc. out of Erie County was rated in the 66th percentile for unsafe driving for speeding and for texting, records show. Nobody from the company returned a message.



STRANDED VOICES

TRANSIT RIDERS SPEAK OUT ABOUT
AMERICA'S MOBILITY CRISIS



Executive Summary

Due to shortages in state and local revenues, U.S. public transit systems are carrying out some of the steepest fare increases and deepest service cuts in recent history. Since the beginning of 2009, approximately 85% of public transit systems have raised fares or cut service, and thousands of workers in the transit industry – a significant percentage of a “green” workforce – have been laid off. Fifty-six percent of transit systems have cut rush hour service, 62% have slashed off-peak service, and 40% report reductions in geographic coverage.¹

The Chicago Transit Authority has cut 18% of bus service and 9% of rail service while laying off 1,100 people whose lives have been in a free fall ever since. Massive cuts in Atlanta, Cincinnati, Cleveland, Detroit, and throughout the State of California have been breathtaking. New York City, home to the largest transit network in North America, has cut routes that have been in existence since the days of the horse and buggy. Thirty-five percent cuts are pending in Pittsburgh and Tacoma, while Birmingham is on the verge of cutting bus service in half.

But *Stranded Voices* is not about percentages or even buses or trains. It's about people. The incredible mass of unemployed Americans includes a substantial number of transit-dependent individuals who simply can no longer get to work because their ride is gone. Generally, when routes get cut, transit systems tend to look towards those with low ridership -- early morning, late night, and weekend service. People who work non-traditional hours, typically minorities who have no other means of transportation, are disproportionately affected. The single mom who now gets her kids up at 4:30 a.m. to catch two buses in time to get her children to daycare and then herself to work cannot be expected to wait an additional hour for that transfer bus to arrive, standing in the freezing cold with two kids. **The person who cleans offices downtown in the wee hours of the morning should not have to sleep on the cold hard floor in the lobby of the building after finishing her work until the buses start running the next day.** But that is exactly what is happening out there. Amalgamated Transit Union (ATU) members nationwide have seen it firsthand. Some places have totally shut down their transit system, leaving elderly and disabled people scrambling for a way to buy food and get to the doctor. This is a mobility crisis.

¹ *Impacts of the Recession on Public Transportation Agencies*. Survey Results, March 2010. (American Public Transportation Association).

As Congress debates changes to our nation's surface transportation laws and considers appropriate funding levels to meet the needs of our highway and transit network, it is critical that lawmakers understand the incredible mobility challenges that their constituents are facing every day. However, the voices of poor people – young or old, disabled or able bodied – are traditionally drowned out in this country. While an elderly lady who is out buying groceries in New Jersey may have never met a cafeteria worker in Colorado who is desperately trying to get to work, it turns out that these people have at least one common trait: they both rely on the bus to survive. All across America, people are pleading with their elected officials to stop the transit cuts and fare increases. Some are actually calling on a higher authority. **However, their prayers are unfortunately falling on deaf ears. ATU is proud to provide these individuals with a voice so that they can speak as one.**

“To the Marysville City Council: Please do not take our bus service away from us. I am very disturbed by this. I am mobility-impaired and must use either my electric scooter or my four-wheel walker. I am unable to put either in my car. I am on oxygen 24 hours a day, seven days a week. I have many doctor appointments and I need the bus. My daughter lives with me, but she does not drive. She works at Goodwill Industries on 26th Street in Port Huron Township, and she could not get there without the bus. She has been unable to find a job that pays at least minimum wage for the past three years. She gets paid piecework and only averages about \$8 to \$10 per day, so she can't afford cab fare. She does my grocery shopping by taking the bus.”

– Gloria Rottiers, Marysville, MI²

When the Marysville City Council starts budget talks in March, the Blue Water Area Transit system's Dial-a-Ride program is expected to be on the chopping block. About \$150,000 a year is dedicated to the program, and some council members are questioning how long the general fund can sustain the cost. As fixed route buses don't run in Marysville, Dial-a-Ride is the only public transportation option for city residents who do not drive.

² *Marysville City Council cannot end bus service*. Times Herald, January 16, 2011.

"I am a teenager with autism. I use CARTA to go to places like the Children's Museum, the library, the grocery store, etc. Because of my autism, I have a pass which allows me to travel at a reduced rate. Recently, CARTA increased fares, cut some routes and discontinued service after 8 p.m. Now there are places I cannot go. I understand that cuts had to be made for financial reasons. How come there are free trolley rides for tourists and downtown shoppers when there is a shortage of money? They have other ways of getting around the city, but I don't. Are tourists and shoppers just more important than me?"

— Jennifer Cook, Charleston, SC ³

In the fall of 2010, the Charleston Area Regional Transportation Authority eliminated its CARTA@Night service, ending the ability of transit dependent people to get to overnight shifts. Service on 20 routes was reduced and fares were raised 16 percent.

"I need to get to work early. I could lose my job."

— Micki Duffy, Chandler, AZ

With no car and a complex itinerary of bus transfers, Duffy is worried that cuts to early-morning service could make it impossible for her to get to work by 7:30 a.m. She negotiated the start time with her boss because of the bus schedules. The state took all cities' Local Transportation Assistance Funds that had been contributing about \$1 million a year to Chandler's mass-transit system.⁴

"I walk 'cause I need a job."

— Orinda Maten, Baton Rouge, LA

³ *Bus Cuts*. The Post and Courier, November 28, 2010.

⁴ *Bus riders plead for fewer service cuts*. The Arizona Republic, May 5, 2010.

Sometimes Maten is lucky and draws a shift at the Walmart store that ends early enough to allow her to catch a bus home at night. On those nights when she works late, though, she often ends her workday with a two-mile walk back home.⁵ Current recommendations in Baton Rouge include ending weekend and holiday bus service and eliminating two routes. Regular bus fares would be raised from \$1.75 to \$2, while discount fares for students, seniors and disabled residents who do not require door-to-door service would be raised from 35 cents to \$1. Disabled transit users who currently pay \$1.75 for door-to-door, on-demand transit services would see rates more than double, to \$4 per trip.



"I am a regular bus rider. With the cut in buses, I will not be able to go to church on Sunday or work on the weekends. It seems like the Port Authority is going to be a weekday bus company. It is being very inconsiderate of those who need to use it on the weekend. Maybe those of us who need to use the bus on the weekend should start our own bus company."

— Fred Vella, Baldwin Borough, PA

The federal rejection of Pennsylvania's plan to toll I-80 translated into a \$27 million cut to the Port Authority for the current year. On January 12, the Port Authority of Allegheny County board voted to reduce bus service by 15 percent on March 27, 2011. Twenty-nine routes will be eliminated, and there will be weekday cuts on 47 other routes, while 180 employees will be laid off and 270 positions will be eliminated. The Harmar bus garage will close. It will mean more crowded buses and more commuters driving their own cars on already crowded roads. Much larger cuts loom if the legislature does not act soon.

⁵ *City bus riders' pleas heard*. The Advocate, November 22, 2009.

⁶ *The Port Authority is Moving us Backward*. Pittsburgh Post-Gazette, August 23, 2010.

"That's hard on people who have to go to work."

— Frances Pulichino, Paterson, NJ

Pulichino, 92 years old and a lifelong resident of the city says New Jersey Transit buses she takes to doctor's appointments and to do her shopping don't arrive as frequently as they once did, and she worries how cuts to local bus service will affect the city.⁷ In May of 2010, New Jersey Transit instituted fare hikes of 25 percent for train and interstate bus riders and 10 percent for light rail and local bus riders, and took 31 trains out of service. Discounts for round trips outside of peak riding hours also were eliminated, leading to increases of up to 64 percent for some rail commuters.

"I do not have the money for cabs. It would cost me \$20 to go from Mariners Harbor to the ferry. Want to send me a limo?"

— Eleanor Abrams, wheelchair user,
Staten Island, NY



"Waiting for the bus on a Sunday? Bundle up, it's going to be a while. Weekend service has been slashed nationwide."

"I take this as an attack on my family. If the S42 is taken away, I'm going to have to walk off the hill, leave earlier, or fight for space on the bus. It's crowded enough during rush hour. I don't think they get that. Imagine an already-packed bus and sticking 200 more people on, the kind of mayhem that's going to cause. That's going to turn ugly quickly."

— Chris Waymer, Staten Island

"The MTA has screwed the bus driver, hands!"

— Anonymous rider.⁸

In June of 2010, the New York Metropolitan Transportation Authority put in place the most drastic transit cuts to hit the city in more than 30 years. Staten Islanders reliant on already sparse public transportation now have even fewer buses running on some routes - if those routes are even being served. Both local and express bus riders were hit hard by the service cuts. Some communities are no longer served on weekends or at night, leaving riders waiting longer to file onto even more-crowded buses.

"I don't care who's at fault. They shouldn't cut the buses. I'm already getting up two hours early to be somewhere that's 15 minutes away by car."

— Cherise Hinton, Long Island, NY.

⁷ *Patersonians rate city's quality of life.* Herald News, May 6, 2010.

⁸ *Island to MTA: No more cuts!* Staten Island Advance, March 3, 2010.

"I think they should get out there and try it and see how it works, especially when it's cold out there."

— Mary Walker, Long Island, NY.

Mary Walker can't drive because she has glaucoma and rides on several bus lines each week to get to her home-health-aide work sites.

New York Metropolitan Transportation Authority officials said that they may have to drastically reduce LI Bus service this spring unless Nassau County fulfills its obligation to adequately fund its bus system. The MTA board says bus service may be cut by more than half.



"They took the line out of the middle of the bus. Now they've eliminated the bus."

— The Rev. Lawton Higgs Sr.,
Birmingham, AL

The Reverend was speaking at a rally to coincide with the 55th anniversary of Rosa Park's arrest in Montgomery, an act that spurred the Montgomery Bus Boycott, a pivotal event in the civil rights movement. He pastors to a very large congregation of homeless people who **"want to contribute to a healthy Birmingham but can't get a ride to do it."**

⁹ *LI Bus riders feel left behind; Say they are not interested in agency's fiscal woes; Drastic service cuts should be last resort, many say.* Newsday, February 19, 2011.

"Please let us keep our transit! Let's get rid of the old stumbling blocks and put people up there who are real."¹⁰

— Linda Williams, Birmingham, AL

Linda relies on the MAX buses, while her son takes the MAX paratransit service for the disabled.

Last year, the Birmingham-Jefferson County Transit Authority told city officials it needed more than \$10 million, or about \$900,000 a month, from the city to continue bus and paratransit services. But the city budgeted only about half that amount, and transit officials say they will have to cut half the bus routes in the city of Birmingham and lay off bus drivers. Funding runs out in March.

"I really don't want to quit this job. It's the only thing helping me right now. I've been taking a taxicab but that costs me an arm and a leg. I don't want to be out on the streets. My life is depending on transportation."

— Robert Sigala, Colorado Springs, CO

Sigala doesn't drive and has trouble walking. He got to his job through Metro Mobility, the para-transit service of Mountain Metropolitan Transit, but service has been cut. Now, he fears ending up on the streets. His income at a cafeteria barely covers his rent and phone bill, and whatever extra he has is going to a taxi.

"I'm not healthy enough to get to work on my own."

— Nancy Eastman, Spokane, WA

Eastman is 62 and walks with a cane. She commutes between Cheney and Spokane and gets on the bus a little after 7 a.m. at a stop that is slated for elimination. She says she cannot walk to another stop if the service was cut off.¹²

¹⁰ *Bus riders and activists plead: 'Please let us keep our transit' Long-term bus funding sought.* Birmingham News, December 2, 2010.

¹¹ *Workers who take bus struggle to keep jobs.* The Gazette, January 6, 2010.

¹² *Proposed STA changes have Cheney riders concerned.* Cheney Free Press, March 18, 2010.



Eight Spokane-area bus routes would be cut along with 18 driver positions under the latest version of a money-saving proposal by the Spokane Transit Authority. The proposed cuts amount to 7 percent of the agency's operating costs and would go into effect in September 2011. The proposal follows a smaller 3 percent cut last September. Another 7 percent cut is expected in 2012.

"Our bus service is unfortunately being cut back, which is a shame, as the church benefits from elders' stories and experiences. Seniors have a lot to offer."

— Alice Litton, 80, Bellingham, WA¹³

Unfortunately, older church members who are isolated or no longer drive have been left without transportation options since the cuts in Bellingham.

"Those in our community, including me, who use or need transit can come and go when we want. I will no longer be able to travel to my shopping mall on the weekend because both bus lines servicing the mall are being cut. I will have to limit my entertainment and community meetings not to go past 8 p.m. because there will be no bus or light rail service after 9 p.m."

— Barbara Stanton, Sacramento, CA¹⁴

¹³ Bellingham woman enjoys community, search for faith, at Unitarian Fellowship. The Bellingham Herald, November 22, 2010.

¹⁴ Transit crunch also a livability crisis. Sacramento Bee, June 1, 2010.

Sacramento Regional Transit has lost one-third of its funding since 2007 - \$50 million - and in 2010 cut 28 weekday routes and 13 weekend routes. Paratransit is facing a 30 percent cut to its services for riders with disabilities.

"People need these buses... we deserve these buses!"

— Vince Miller, Accomack, MD

Miller, a stroke victim told the local Board of Supervisors they "did the wrong thing" by allowing bus service to the northern end of the county to stop. He has missed eight months of school and seven months attending a program for people with brain injuries because of the cessation of the bus route.¹⁵

"I'm just going to have to ride my bike everywhere."¹⁶

— Larry Wilber, Castle Rock.

"It's horrible. Buses for work, buses for everything and for my daily form of transportation."

— Juliet Hudson, Castle Rock, CO

Budget cuts have eliminated The Clean Air Transit Company leaving Hudson and others searching for alternative ways to get around town. Service was cancelled at the end of 2010. Now Castle Rock is sponsoring a service through a local taxi company for those who are transit-dependent, paying a maximum of \$10 per trip for those who qualify. But with a limited budget, the town can pay for only 36 trips a week; so if you are number 37 in line, you are out of luck.

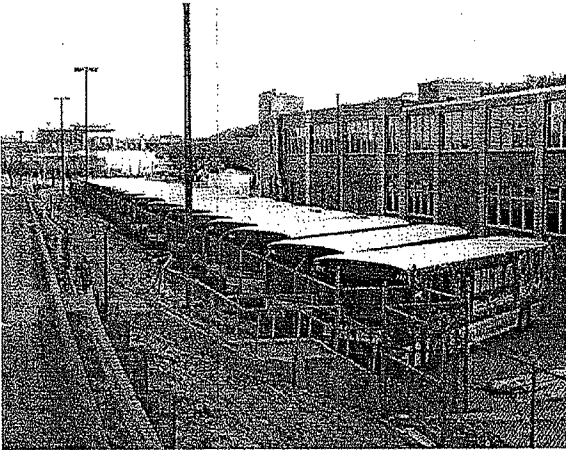
¹⁵ County urged to resume transit service. Daily Times, December 30, 2010.

¹⁶ Castle Rock parks shuttle rides. The Denver Post, December 30, 2010.

"I may stay with friends in Midtown. I have to move because I have to keep my job. I work in Buckhead in a law office and I take the bus from Clayton to the MARTA train to get there. It's not like I have a choice."

— Inya-Agha, Clayton County, GA¹⁷

The transit system in Clayton County shut down in 2010, stranding 8,500 people, 81% of whom earn less than \$35,000 a year and 65% of whom have no car. Clayton is now the only core metro Atlanta county without public transportation.



Rows of buses and vans in Cincinnati bought with federal dollars sit idle as SORTA gets set to slash service for the second time since 2009, when the agency had its first ever layoffs.

People First

Under current law, the majority of transit systems in the U.S. may not use their federal transit funds to keep service on the street. They may only use their money to buy buses, trains, and other equipment. With state and local funds scarce or nonexistent, many systems are in the odd situation of having many brand new buses purchased with federal funds, but no resources to place those vehicles into service. Other communities are using

¹⁷ *Wheels in motion to drop C-Trans; Clayton County could save \$8 million without buses, but strand 8,500.* The Atlanta Journal-Constitution, March 13, 2010.



their federal transit funds to build rail systems that will not be completed for many years while slashing vital bus service at the same time.

Where are our priorities? Certainly this cannot be part of our nation's transportation agenda! Before we commit resources to whisk people from city to city on slick high speed rail trains, we need to first get them back to work downtown and in suburban and rural locations via bus, subway, or light rail.

The federal government has a role to play in ensuring that all individuals – regardless of income level – have



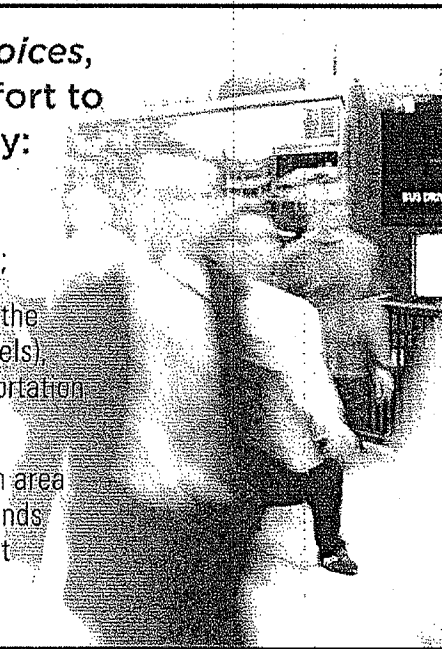
The CDTA in Albany, NY purchased 20 buses through the American Recovery and Reinvestment Act in July 2010. The buses have been sitting in the garage since delivery. ATU members drive them up and down the highways daily to keep the fluids running for warranty reasons.

access to safe, affordable, convenient and accessible public transportation, no matter what time of day they ride the bus. Representative Russ Carnahan (D-MO) and Senator Sherrod Brown (D-OH) have introduced sensible legislation that would provide for increased flexibility in the use of federal transit funds by allowing transit systems of all sizes to use a percentage of their formula funds to maintain critical service. Similarly, President Obama's Fiscal Year 2012 Budget as well as the Administration's proposal for the reauthorization of the federal surface transportation bill call for "targeted and temporary" transit operating assistance.

ATU echoes the nation's *Stranded Voices* in calling on Congress to pass legislation that would allow transit systems to keep buses rolling during these extremely difficult economic times so that people may continue to live their lives and contribute to society in a meaningful way.

**On behalf of the nation's *Stranded Voices*,
ATU calls on Congress to lead the effort to
address the national mobility crisis by:**

- Passing a robust surface transportation bill that meets the needs of transit-dependent individuals;
- Funding public transportation at \$119 billion over the next six years (a 128% increase above current levels), as called for in President Obama's surface transportation reauthorization proposal;
- Providing all transit systems – regardless of urban area population – with flexibility to use their federal funds for operating costs to maintain critical service that keeps people connected to their communities.



For more information, contact Jeff Rosenberg in the ATU Government Affairs Department
at (202) 537-1645 or jrosenberg@atu.org

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE
Truth in Testimony Disclosure

Pursuant to clause 2(g)(5) of House Rule XI, in the case of a witness appearing in a nongovernmental capacity, a written statement of proposed testimony shall include: (1) a curriculum vitae; and (2) a disclosure of the amount and source (by agency and program) of each Federal grant (or subgrant thereof) or contract (or subcontract thereof) received during the current fiscal year or either of the two previous fiscal years by the witness or by an entity represented by the witness. Such statements, with appropriate redaction to protect the privacy of the witness, shall be made publicly available in electronic form not later than one day after the witness appears.

(1) Name:

Lawrence J. Hanley, International President

(2) Other than yourself, name of entity you are representing:

Amalgamated Transit Union

(3) Are you testifying on behalf of an entity other than a Government (federal, state, local) entity?

☒ YES

If yes, please provide the information requested below and attach your curriculum vitae.

☐ NO

(4) Please list the amount and source (by agency and program) of each Federal grant (or subgrant thereof) or contract (or subcontract thereof) received during the current fiscal year or either of the two previous fiscal years by you or by the entity you are representing:

None

Signature

Lawrence J. Hanley

Date

3/28/11



Amalgamated Transit Union

Office of the International President

Lawrence J. Hanley
International President
Amalgamated Transit Union, AFL-CIO, CLC

Larry Hanley, who began his union career in 1978 as a 21-year old bus driver in Brooklyn, was elected International President of the Amalgamated Transit Union (ATU) at its 56th convention on September 30, 2010. He is only the 9th person to lead the union in its 118-year history.

As he took office on October 1, 2010, Hanley pledged that his efforts will focus on benefiting the union's 190,000 members and the larger labor movement as well as on improving mass transit throughout North America, where the future is dependent on bringing public transportation into the 21st century. The ATU represents bus drivers, mechanics, clerical personnel and baggage handlers in the transit, school bus, intercity bus and paratransit sectors in 46 states and 9 provinces in Canada.

Hanley served as president of ATU Local 726 (Staten Island, NY) from 1987-2002 representing employees of the New York Metropolitan Transportation Authority. He then joined the staff of the International union and thereafter was elected to serve as an International Vice-President, a post he held until 2010. Hanley brings extensive experience and success in forming community-based coalitions to build support for mass transit. Since his election he has concentrated on forming both local and national coalitions to bring riders, workers, faith-based groups, environmentalists and business leaders together to help shape and fund strong state and federal transit programs.

